Section 504 Rehabilitation Act of 1973 Handbook

Child Study Department • Houston Independent School District

Revised 11/02
It is the policy of the Houston Independent School District not to discriminate on the basis of age, color, handicap or disability, ancestry, national origin, marital status, race, religion, sex, veteran status, or political affiliation in its educational or employment programs and activities.
1. Purpose. The purpose of this memorandum is to describe the Section 504, Rehabilitation Act of 1973 Handbook.

2. Effective. Immediately. This memorandum supersedes SPM 5552.B, released on November 8, 2000, in the implementation of board policy. See References (a) and (b).

3. Applicability. This memorandum applies to all employees.

4. Objective. The objective of the Section 504, Rehabilitation Act of 1973 Handbook is to assist Houston Independent School District (HISD) employees in complying with federal mandates and board policy of nondiscrimination based on disability. See References (a), (b), and (c).

5. General Description. The Section 504, Rehabilitation Act of 1973 Handbook is a district manual that outlines and describes the procedures schools must follow in identifying students with disabilities under Section 504. See Reference (c). The handbook contains the following sections:
   a. Table of Contents. This section contains a table of contents for the handbook and a copy of this Standard Practice Memorandum.
   b. Terms and Acronyms. This section contains a list of terms and acronyms used in the handbook.
   c. Introduction. This section contains a brief overview of the law.
   d. Student Population. This section contains information about designated students who are eligible for protection under Section 504.
   e. 504 Flow Chart Procedures. This section contains a flow chart of the referral process.
   f. Implementation of Section 504. This section contains a description of the referral process.
   g. HISD Compliance Procedures. This section contains a description of HISD’s procedures for complying with federal mandates under Section 504 as it applies to eligible students.
   h. Notice of Parent and Student Rights Under Section 504. This section contains descriptions in both English and Spanish of the parent’s and student’s rights under Section 504.
   i. Appendix. This section contains forms, supplementary information, and materials used by HISD in the student referral, assessment, and placement process under Section 504.
6. **Responsibility.** The Assistant Superintendent, Student Support Services, is responsible for the following:
   - Publishing and maintaining new and revised Section 504, Rehabilitation Act of 1973 Handbooks;
   - Periodically reviewing and updating the contents within the handbook; and
   - Maintaining records of the number of handbooks issued to facilitate distribution of revisions

7. **Distribution.** The Section 504, Rehabilitation Act of 1973 Handbook is available through the 504 Coordinator, Child Study, to administrators, evaluation specialists, school staff, and others as requested.

8. **Questions.** Regarding this Memorandum...may be referred to the 504 Coordinator, Child Study, (713) 867-5220.


10. **Filing Instructions.**
    a. Remove and discard SPM 5552.B
    b. File this memorandum numerically with other SPMs.
Table of Contents

Terms and Acronyms ...................................................... 1
Introduction ................................................................. 1
Student Population ....................................................... 3
504 Flow Chart Procedures ............................................ 4
Implementation of Section 504 ......................................... 5
Houston Independent School District Compliance Procedures .... 6
Notice of Parent and Student Rights Under Section 504 .......... 9

Appendix
District 504 Forms
Notice to Parent of Evaluation/Consent for Evaluation ............. 15
Notice of Section 504 Committee Meeting .......................... 17
Section 504 Assessment Team Report ............................... 19
Section 504 Accommodation Plan .................................... 20
Possible Modifications/Accommodations ............................ 21
Section 504 Accommodations ......................................... 22
Section 504 Behavior Management Plan ............................. 23
Section 504 Accommodations Report ............................... 24
Notice to Parents of Reevaluation Under Section 504 ............ 25
Notice of Section 504 Eligibility or Noneligibility .................. 27
Section 504 Evaluation & Manifestation Determination ........... 29
Questions and Answers .................................................. 30
Sample SASI Form ....................................................... 32

Dr. Harriet Arvey
Assistant Superintendent
Student Support Services
713-892-6666

For assistance, contact your evaluation specialist or

Frances Goodbeer
504 Coordinator
Child Study Department
713-867-5220
INTRODUCTION

This guide was developed by the Child Study Department to assist in the training of Houston Independent School District personnel in issues related to Section 504 of the Rehabilitation Act of 1973. It reflects the district’s current interpretation of policies, procedures, and services mandated for students with disabilities within the public-school setting.

Section 504 of the Rehabilitation Act of 1973 is a civil-rights law that prohibits discrimination on the basis of disability. Its enabling regulations often mirror the Individuals With Disabilities Education Act (IDEA) and may be a source of confusion in the schools. Section 504 covers all disabilities covered by the IDEA. If a student is disabled under the IDEA, he/she is also protected from discrimination under Section 504. The law prohibits discrimination against students with disabilities and requires that school districts take affirmative actions (making buildings and programs accessible) when necessary to accommodate students and other persons with disabilities.

Students who are disabled under Section 504 ONLY are usually served with accommodations in the general education program. However, a free, appropriate education (FAPE) may include regular and/or Special Education and related services if these services are required in order to meet the individual educational needs of students with disabilities as adequately as the needs of nondisabled persons. Each case must be reviewed and needs determined on an individual basis. Section 504 students with disabilities must always be served in the least-restrictive environment (LRE).

Section 504 defines a disabled person as any person (1) who has a physical or mental impairment that substantially limits one or more major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment. The second and third components of this definition cannot be used to provide FAPE to a student.

A physical or mental impairment is defined as (A) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs; respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; or (B) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Major life activities include “functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.” In the school setting, we are concerned with learning or with substantial limitations to other major life activities that affect the learning process. Even though a student has a physical or mental impairment, he/she is not entitled to special treatment under Section 504 (i.e., regular or Special Education and related aids and services designed to meet his individual educational needs) unless there is an “educational need.”
The test for determining whether a student is disabled under Section 504 requires the district to answer the following questions: (1) does the student have a mental or physical impairment? (2) does the impairment substantially limit one or more major life activities? The next question that the 504 Committee must answer is the question of educational need. Educational need is determined on a case-by-case basis. The Office of Civil Rights has stated that educational need is not limited to academic problems stemming from the student's disability. Educational need encompasses behavior problems that are linked to the disability, even if the student's academic performance is within an acceptable range. A student who has no learning or behavior problems but who requires insulin shots, asthma treatments, or similar procedures that must be administered at school may have an educational need. A mobility-impaired student who needs a wheelchair ramp may also be eligible for services under Section 504.

Section 504 mandates specific legal obligations, the first of which is the obligation of nondiscrimination. Compliance requires that the district provide both initial and continuing notice of nondiscrimination on the basis of disability. The notice must also include the district's 504 Coordinator's name, title, address, and telephone number. In addition, Section 504 requires that school districts have a procedure for addressing grievances.

Section 504 students with disabilities must be given a preplacement evaluation and must be reevaluated periodically and prior to any significant change of placement. Tests and other evaluation materials must be validated for the specific purpose, administered by trained personnel according to standardized procedures, and tailored to assess specific areas of educational need and may not be limited to a single IQ score. Assessment of adaptive behavior is required.

Placement decisions must be made by a group of persons (at least two) who are knowledgeable about the child, the meaning of the evaluation data, the placement options, the least-restrictive environment requirements, and issues related to comparable facilities. Decisions about Section 504 eligibility and services should be documented in the student's file and reviewed annually. An accommodation plan is written, and copies are distributed to all persons responsible for making accommodations.

Section 504 students are not exempt from state- and district-mandated testing (TAAS, Stanford 9, etc.). Allowable test modifications may be used for 504 students with disabilities if the students require the modifications in the classroom.

The student and parent have certain due-process rights. When the district takes action concerning the identification, evaluation, or placement of a student under Section 504, it must

1. provide notice (before evaluation, before placement)
2. provide an opportunity for the parents or guardian to examine relevant records
3. provide an impartial hearing if requested, with opportunity for participation by the parent or guardian and representation by counsel
4. provide a review procedure

Discipline of 504 students with disabilities is a potentially troublesome component of the law. It is imperative that a "manifestation determination" (an inquiry into whether a disability-misbehavior link exists) be made by the campus 504 committee before a 504-only student is expelled or disciplined in a manner that may constitute a significant change in placement. If a link exists, the student cannot be expelled. However, placement within a more-restrictive environment designed to correct the behavior is permissible.

The single exception to this procedure relates to substance abusers. Students currently using drugs can be disciplined in a manner similar to that for any other students for infractions of the rules concerning drugs and alcohol on campus.
STUDENT POPULATION

IDEA/504 STUDENTS
Students are qualified under one or more of 13 IDEA disabling conditions. Specially designed individual education programs are planned for each student by Individual Education Program (IEP) teams.

SECTION-504-STUDENTS ONLY
Due to substantial mental or physical impairments that limit one or more of the student’s major life activities, special accommodations to the student’s program are required. A 504 accommodation plan is designed for each student according to individual need.

Examples of potential 504 disabling conditions that may not be covered under IDEA are:

• communicable diseases—HIV, tuberculosis
• medical conditions—asthma, allergies, diabetes, heart disease
• temporary medical conditions due to illness or accident
• Attention Deficit Disorder (ADD, ADHD)
• behavioral difficulties
• drug/alcohol addiction
• dyslexia
• other conditions

Being a "slow learner" is not a disability under Section 504.
IMPLEMENTATION OF SECTION 504

1. All referrals for students who are suspected of having disabilities are made through the campus referral committee using the Campus Referral Committee Report form. The usual referral source is the classroom teacher, but other individuals, including parents, physicians, or representatives of other agencies, may refer a student to the campus referral committee.

2. The Campus Referral Committee meets and makes referral decisions. If the student is suspected of having one or more of the 13 disabilities covered under the IDEA and in need of Special Education services, the IDEA procedures are followed (Option II). If the student is suspected of having a disability not covered by the IDEA or in need of classroom accommodations only, 504 procedures are followed (Option I). Most referrals will follow Option II procedures. The Evaluation Specialist becomes the Case Manager for all referred students.

3. If the student is referred directly for Section 504 evaluation, the campus liaison sends the following forms to the parent or guardian: NOTICE TO PARENTS OF EVALUATION UNDER SECTION 504 (which includes a written consent section) and NOTICE OF PARENT AND STUDENT RIGHTS UNDER SECTION 504. Written consent is required before any evaluation.

4. For a student referred under Section 504, the Evaluation Specialist collects the evaluation data and does any testing required. The evaluation may include formal and informal test instruments, aptitude and achievement tests, teacher recommendations, physical or medical reports, indicators of classroom performance, information from the parents, and other pertinent data, along with the referral data. The evaluation must include a consideration of the student’s adaptive behavior. The Evaluation Specialist, with input from the Multidisciplinary Assessment Team, determines the extent of the needed evaluation.

5. When the evaluation is completed, the Evaluation Specialist presents the data to the Section 504 Multidisciplinary Assessment Team, which reviews the evaluation results and recommends 504 eligibility/noneligibility (Option I). The student’s folder is returned to the school 504 Liaison, who schedules a 504 Meeting.

6. The Section 504 Campus Committee meets to confirm eligibility (or noneligibility) and determine what modifications/accommodations are necessary for the eligible student. The parent is invited to the Campus 504 Placement Meeting but is not part of the required membership.

7. The Section 504 committee shall meet annually to review the student’s accommodation plan. In addition, prior to any significant changes in placement a reassessment of the student’s needs shall be conducted.

Students evaluated for Special Education under IDEA and who do not qualify for Special Education may be referred directly to the Section 504 Multidisciplinary Assessment Team by the ARD Committee for consideration of a 504 disability. All students who are reevaluated and no longer meet qualifications for Special Education under IDEA also may be referred to the Section 504 Assessment Team by the ARD Committee.

ALL IDEA AND SECTION 504 IDENTIFIED STUDENTS ARE PROTECTED FROM DISCRIMINATION BY SECTION 504 OF THE REHABILITATION ACT OF 1973.

Definitions

Campus 504 Liaison (Coordinator)—appointed by the principal, usually the referral chairperson

Campus 504 Committee—a group of persons who are knowledgeable about the child, the meaning of the evaluation data, the placement options, the least-restrictive environment requirement, and the need for comparable facilities

District Office 504 Liaison—appointed by the district superintendent

504 Multidisciplinary Assessment Team—district office team that reviews evaluation results and makes recommendations to the Campus 504 Committee concerning eligibility

Substantial Limitation—unable to perform a major life activity that the average student in the general population can perform
“No otherwise qualified individual with handicaps in the United States shall, solely by reason of his handicap, be excluded from the participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance…”

PURPOSE OF SECTION 504
The purpose of the act and these procedures is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits comparable to those provided to nondisabled students.

ELIGIBILITY
An eligible student is a student who (a) has, (b) has a record of having, or (c) is regarded as having a physical or mental impairment that substantially limits a major life activity, such as learning, self-care, walking, seeing, hearing, speaking, breathing, working, and performing manual tasks.

Substantially limits means:
Unable to perform a major life activity that the average student in the general population can perform. The appropriate test for substantial limitation for elementary and secondary students is to compare the student's abilities to perform major life activities with the abilities of the average student of the same age or grade level.

EDUCATIONAL NEED
A substantial limitation on learning must be demonstrated by educational need, such as a serious academic deficit, and/or serious behavior problems resulting from the student’s disability and not from other causes and/or any other physical or mental impairment that seriously affects the student's opportunity to benefit from educational services.

DEFINITION OF IMPAIRMENT
“Physical or mental impairment” means (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genitourinary; hemic and lymphatic; skin; and endocrine; or (b) any mental disorder, such as mental illness, and specific learning disabilities.

AGE
Eligible disabled students between the ages of 3 and 21 who have not graduated are covered by these procedures.

DUAL ELIGIBILITY
Many disabled students will be eligible for educational services under both Section 504 and the Individuals With Disabilities Education Act (IDEA). For students who qualify for Special Education services under IDEA, the IDEA procedures and regulations will be followed.

PLACEMENT OF SECTION-504-ONLY STUDENTS
Students who meet the eligibility requirements for Section 504 only will receive educational services and programs on the same basis as nondisabled students. The district will provide each eligible student with a disability with a free, appropriate public education (FAPE). This may include special types of instruction and reasonable accommodations to academic, nonacademic, and extracurricular programs.

SECTION 504 COORDINATOR
The district has designated Frances Goodbeer as its Section 504 Coordinator for Students, 1615 Rutland, Houston, TX 77008 (phone: 713-867-5220). Each campus will designate a campus liaison (usually the same person designated as the referral chairperson).

REFERRALS
Referrals for any student suspected of having a disability will be made to the Campus Referral Committee.

PARENT RIGHTS
The Section 504 Coordinator or campus designee will notify the parents of their rights under Section 504.

SECTION 504 COMMITTEE
The Campus Referral Committee may also serve as the 504 Committee. The committee must include persons knowledgeable about the student, the meaning of the evaluation data, the placement options, the legal requirement to place disabled children in the least-restrictive environment, and the legal obligation to provide comparable facilities to disabled students.

NOTICE OF COMMITTEE ACTION
Prior to taking any action regarding the Section 504 identification, evaluation, or placement of a student believed to be in need of special instruction or related services, the school district will provide the parents or guardian with prior written notice. Written parental consent is required prior to preplacement evaluation.
If it is determined by the Section 504 Committee that the misconduct is caused by the student’s disabling condition, the student may not be expelled. The Section 504 Committee must then determine whether the student’s current educational placement is appropriate.

Pursuant to “Appendix A” of 34 CFT Part 104, rules concerning students who currently possess illegal drugs or alcohol will be enforced evenly with respect to all students, both disabled and nondisabled.

Pursuant to “Appendix A” of 34 CFT Part 104, students who are substance abusers:

(1) May be held to the same standard of performance and behavior as nondisabled students.

(2) May not be excluded from school if they can successfully participate in the educational program and comply with the rules and if their behavior does not impede the performance of other students.

Rules concerning use or possession of drugs and alcohol will be applied to substance abusers and will be enforced evenly with respect to all students, both disabled and nondisabled.

STUDENT RECORDS
The parents or guardian shall have the opportunity to examine relevant education records upon reasonable notice during school hours or at other mutually convenient times by prior arrangement.

GRIEVANCE PROCESS
Any student having a complaint of discrimination on the basis of disability may use the formal or informal grievance procedures listed in the Code of Student Conduct and also stated in Article 7 of the HISD Administrative Procedures in order to quickly resolve the matter at the lowest level possible.

In the event of a disagreement between the parents or guardian and the school district in regard to a disabled student, the parents or guardian may make an informal appeal in writing to the school principal, the campus 504 Coordinator, or the district 504 Coordinator and request a review of the committee decisions.

DUE-PROCESS RIGHTS
In the event of a disagreement between the parents or guardian and the school district in regard to the identification, evaluation, or educational placement of a disabled student, the parents or guardian have the right to an impartial hearing, with an opportunity to
participate and be represented by an attorney.

Parents or a guardian wishing to challenge a decision of the Section 504 Committee shall file a written appeal with the Section 504 Coordinator within 30 calendar days of the date of the Notice of Section 504 Committee decision.

Within 45 calendar days of the date of the written appeal, the district will schedule a hearing before an impartial hearing officer and provide the parents or guardian with a written Notice of Hearing that sets out the date, time, and place for hearing and advises them of their right to participate and be represented by an attorney. Upon good cause shown and at the discretion of the hearing officer, either party may receive a continuance of the scheduled hearing date.

The hearing will be conducted informally and in a nonadversarial manner. The Rules of Evidence and Procedure will not apply.

The district shall make an audiotape of the complete hearing. No written transcript will be required, but the parents or guardian shall be entitled to obtain a copy of the audiotape at reasonable cost. The hearing officer will render a brief written decision at the conclusion of the hearing or, if it is imperative that the decision be taken under advisement, within 15 calendar days of the hearing. No written findings of fact or conclusions of law shall be required of the hearing officer.

The person who serves as impartial hearing officer must not be an employee of the school district and may not be related to any member of the board of trustees in a degree that would be prohibited under the Nepotism Statute.

The hearing officer need not be an attorney at law but shall be familiar with the requirements of Section 504.

**REVIEW PROCEDURE**
If the parents or guardian disagree with the decision of the impartial hearing officer, they may seek a review of the decision by a court of competent jurisdiction.

**COMPLAINTS**
Parents or a guardian alleging that the school district has violated the provisions of Section 504 may: (1) file a complaint with the Section 504 Coordinator or campus designee, who will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution; or (2) file a complaint with the Office of Civil Rights. The address of the Regional Office with jurisdiction in Texas is:

Taylor August, Director
Office of Civil Rights, Region VI
1999 Bryan Street, Suite 2600
Dallas, TX 75201
214-880-2459
The Rehabilitation Act of 1973, commonly referred to as “Section 504,” is a nondiscrimination statute enacted by the United States Congress. The purpose of the act is to prohibit discrimination and to ensure that disabled students have educational opportunities and benefits comparable to those provided to nondisabled students.

An eligible student under Section 504 is a student who (a) has, (b) has a record of having, or (c) is regarded as having a physical or mental impairment that substantially limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working, and performing manual tasks.

DUAL ELIGIBILITY: Many students will be eligible for education services under both Section 504 and the Individuals With Disabilities Education Act (IDEA). Students who are eligible under IDEA have many specific rights that are not available to students who are eligible solely under Section 504. An Explanation of Procedural Safeguards, prepared by the Texas Education Agency, is available through the school district’s Special Education Department and sets out the rights assured by IDEA. It is the purpose of this notice to set out the rights assured by Section 504 to those disabled students who do not qualify under IDEA.

The enabling regulations for Section 504 as set out in 34 CFR Part 104 provide parents and/or students with the following rights:

1. You have a right to be informed by the school district of your rights under Section 504. (34 CFR 104.32)
2. Your child has the right to an appropriate education designed to meet his/her individual educational needs as adequately as the needs of nondisabled students are met. (34 CFR 104.33)
3. Your child has the right to free educational services except for those fees that are imposed on nondisabled students or their parents. Insurers and similar third parties are not relieved from an otherwise valid obligation to provide or to pay for services provided to a disabled student. (34 CFR 104.34)
4. Your child has a right to placement in the least-restrictive environment. (34 CFR 104.34)
5. Your child has a right to facilities, services, and activities that are comparable to those provided for nondisabled students. (34 CFR 104.34)
6. Your child has a right to an evaluation prior to an initial Section 504 placement and prior to any subsequent significant change in placement. (34 CFR 104.34)
7. Testing and other evaluation procedures must conform to the requirements of 34 CFR 104.35 as to validation, administration, areas of evaluation, etc. The district shall consider information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition or medical reports, student grades, progress reports, parent observations, anecdotal reports, and TAAS scores. (34 CFR 104.35)
8. Placement decisions must be made by a group of persons (i.e., the Section 504 Committee) including persons knowledgeable about your child, the meaning of the least-restrictive environment, and comparable facilities. (34 CFR 104.36)
9. If eligible under Section 504, your child has a right to periodic reevaluations, generally every three years. (34 CFR 104.35)
10. You have the right to notice prior to any action by the district in regard to the identification, evaluation, or placement of your child. (34 CFR 104.36)
11. You have the right to examine relevant records. (34 CFR 104.36)
12. You have the right to an impartial hearing with respect to the district’s actions regarding your child’s identifi-
cation, evaluation, or educational placement, with the opportunity for parental participation in the hearing and representation by an attorney. (34 CFR 104.36)

13. If you wish to challenge the actions of the district’s Section 504 Committee in regard to your child’s identification, evaluation, or educational placement, you should file a written Notice of Appeal with the district’s Section 504 Coordinator within 30 calendar days from the time you receive written notice of the Section 504 Committee’s action(s).

Frances Goodbeer
504 Coordinator
1615 Rutland
Houston, TX 77008
713-867-5220

A hearing will be scheduled before an impartial hearing officer, and you will be notified in writing of the date, time, and place for the hearing.

14. If you disagree with the decision of the impartial hearing officer, you have a right to a review of that decision by a court of competent jurisdiction. (34 CFR 104.36)

15. On Section 504 matters other than your child’s identification, evaluation, and placement, you have a right to file a complaint with the district’s Section 504 Coordinator (or designee), who will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution.

16. Any student having a complaint of discrimination on the basis of disability may use the formal or informal grievance procedures listed in the Code of Student Conduct and stated in Article 7 of the HISD Administrative Procedures in order to quickly resolve the matter at the lowest level possible.

17. You also have the right to file a complaint with the Office of Civil Rights. The address of the Regional Office with jurisdiction in Texas is:

Taylor August, Director
Office of Civil Rights, Region VI
1999 Bryan Street, Suite 2600
Dallas, TX 75201
214-880-2459
Distrito Escolar Independiente de Houston
DERECHOS DE ESTUDIANTES Y PADRES
BAJO LA SECCION 504
DE LA LEY ACTA DE REHABILITACIÓN DE 1973

La ley “Rehabilitation Act of 1973”, generalmente conocida como “Sección 504,” es un estatuto anti-discriminatorio promulgado por el Congreso federal. Su propósito es prohibir cualquier tipo de discriminación y al mismo tiempo asegurar que los estudiantes discapacitados tengan los mismos beneficios y oportunidades educativas que los demás estudiantes.

Los estudiantes elegibles (a) tienen, (b) tienen récord de sufrir de, (c) se considera que tengan, una invalidez física o mental que limita considerablemente actividades mayores tales como el proceso de aprendizaje, cuidado y atención personal, caminar, ver, oír, hablar, respirar, trabajar, y, la realización de tareas manuales.

DOBLE ELEGIBILIDAD: Un gran número de alumnos discapacitados califican para recibir servicios bajo Sección 504 como también bajo la ley “Individuals with Disabilities Act” (IDEA). Los estudiantes que califican bajo IDEA tienen ciertos derechos no disponibles a los alumnos que califican únicamente bajo Sección 504. Una publicación del departamento de Educación del Estado de Texas, Descripción De Garantías Procesales, indica los derechos garantizados por IDEA. El propósito de este aviso es enumerar los derechos asegurados por la Sección 504 a los estudiantes que no califican bajo IDEA.

Las normas de la Sección 504, tal como descritas en CFR 34, Parte 104, proporcionan los siguientes derechos a los estudiantes y a los padres:

1. El derecho de ser informados sobre sus derechos por el distrito escolar. (CFR 34 104.32)
2. Su hijo(a) tiene derecho a una educación apropiada que sirve sus necesidades individuales en la misma forma que las necesidades de los estudiantes que no son discapacitados. (34 CFR 104.33)
3. Su hijo(a) tiene el derecho de recibir servicios educativos gratis con la excepción de los mismos gastos impuestos a los estudiantes no minusválidos o a sus padres. Las compañías de seguro como cualquier otro tercero similar no recibirán ninguna dispensa sobre pagos en relación a servicios proporcionados a estudiantes discapacitados. (CFR 34 104.34).
4. Su hijo(a) tiene el derecho de ser asignato(a) en el “ambiente menos restrictivo posible.”(CFR 34 104.34)
5. Su hijo(a) tiene derecho a los mismos medios, servicios, y actividades que los demás estudiantes no discapacitados.
6. Su hijo(a) tiene derecho a una evaluación antes de ser inicialmente asignato(a) bajo Sección 504, y antes de cualquier cambio significativo en su programa de estudios. (34 CFR 104.34)
7. Los procedimientos de evaluación deben atenerse a los requisitos de CFR 34 104.35 en cuanto a validación, administración, áreas de evaluación, etc. El distrito tomará en consideración datos de varias fuentes, incluyendo exámenes de aptitud y competencia, recomendaciones de maestros, condiciones físicas, reportes médicos, notas académicas, reportes de progreso, observaciones de los padres, reportes anecdoticos, y resultados TAAS. (CFR 34 104.35)
8. Cualquier decisión sobre la asignación del estudiante será realizada por un grupo de personas (como por ejemplo, el Comité 504) que incluye a personas informadas sobre el estudiante, el significado de un ambiente menos restrictivo, y otros medios comparables (CFR 34 104.36)
9. Si califica bajo la Sección 504, su hijo(a) tiene derecho a evaluaciones periódicas, generalmente cada tres años (CFR 34 104.35)
10. Los padres tienen el derecho de ser avisados sobre cualquier iniciativa del distrito en relación a la identificación, evaluación, y asignación de su hijo(a). (CFR 34 104.36)
11. Los padres tienen el derecho de examinar todos los récords pertinentes a su hijo(a). (CFR 34 104.36)
12. Los padres tienen derecho a una audiencia imparcial respeto a cualquier iniciativa del distrito en relación a la identificación, evaluación y asignación de su hijo(a), así como la oportunidad de participar en la audiencia y ser representados por un abogado. (CFR 34 104.36)

13. Los padres que no están de acuerdo con el curso de acción del Comité 504 del distrito respeto a la identificación, evaluación y asignación de su hijo(a) pueden apelarse por escrito al Coordinador 504 del distrito dentro de 30 días de la fecha en que recibieron el aviso escrito de tal iniciativa(s).

   Frances Goodbeer  
   504 Coordinator  
   1615 Rutland  
   Houston, Texas 77008  
   713-867-5220

Se programará entonces una audiencia presidida por un oficial imparcial; los padres serán informados por escrito sobre la fecha, horario y lugar de la audiencia.

14. Si los padres o los tutores legales no están de acuerdo con la decisión del oficial de la audiencia, podrán entonces solicitar que tal decisión sea reexaminada por una corte de jurisdicción competente. (CFR 34 104.36)

15. Para otros asuntos sobre la Sección 504 no relacionados a la identificación, evaluación y asignación de su hijo(a), los padres pueden: presentar su queja al Coordinador de la Sección 504 o a una persona designada por él/ella, quien investigará las alegaciones e intentará resolver el asunto en la manera más expedita y eficaz.

16. Cualquier estudiante que tiene una queja de discriminación en base a su invalidez puede hacer recurso a los procedimientos de apelación descritos en el Código de Conducta y en el Artículo 7 de los Procedimientos Administrativos de HISD, para resolver el asunto en la manera más expedita y eficaz.

17. Los padres además tienen el derecho de presentar su queja a la Oficina de Derechos Civiles. La dirección del Centro Regional que tiene jurisdicción sobre el estado de Texas es la siguiente:

   Taylor August, Director  
   Office of Civil Rights, Region VI  
   1999 Bryan Street, Suite 2600  
   Dallas, TX 75201  
   214-880-2459
APPENDIX

Section 504 Forms
HOUSTON INDEPENDENT SCHOOL DISTRICT

To: _______________________
RE: _______________________

The Referral Committee of _________________________school met on ________________to discuss the need for an evaluation □ Special Education □ 504.

The Committee reviewed information from:

___ Teacher ___ Attendance Records
___ Counselor ___ Medical Reports
___ Nurse ___ Test Scores
___ Other School Staff ___ Language Assessment
___ Report Card Grades ___ Other ____________________________
___ Classroom Observations

The Committee’s decision was not to test because ____________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

The following modifications, referrals or services were recommended:
_____________________________________________________________________________________
_____________________________________________________________________________________
_____________________________________________________________________________________

If difficulties in school persist, the Referral Committee will reconvene to reconsider testing or other strategies. A copy of the pamphlet *An Explanation of Rights and Procedural Safeguards of a Parent with a Child with Disabilities in School* is attached.

These sources can provide additional information and/or can assist in understanding this *Notice of Full and Individual Evaluation (FIE).*

<table>
<thead>
<tr>
<th>Houston Independent School District</th>
<th>Special Kids, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child Study Department</td>
<td>713.643.9576</td>
</tr>
<tr>
<td>713.867.522</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Learning Disabilities Association of Texas</th>
<th>Partners Resource Network, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>713.774.6405</td>
<td>800.866.4726 or 281.835.3125</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Advocacy, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>713.974.7691</td>
</tr>
</tbody>
</table>

Attachment: *An Explanation of Rights and Procedural Safeguards of a Parent with a Child with Disabilities in School*

White-Parent
Pink-Student’s Permanent Record Folder
Yellow-Referral Committee File
NOTICE TO PARENTS OF EVALUATION UNDER SECTION 504

Date: ______________________________

Name: ________________________________________ DOB: ______________________________

Campus:________________________________________ ID: ________________________________

The above-named student has been referred by the campus referral committee to the Houston Independent School District’s 504 Multidisciplinary Assessment Team for evaluation under Section 504.

A student must be evaluated before HISD can determine his or her eligibility as a disabled student under Section 504 (34 CFR 104.34).

This letter is to inform you of the evaluation. We ask permission to evaluate your child in order to determine whether the child meets the criteria as a disabled student under Section 504.

The 504 evaluation may include any or all of the following: intelligence tests, academic tests, classroom observations, teacher checklist/input, adaptive behavior, and behavior rating scales (34 CFR 104.35).

Following the evaluation, you will be informed in writing of all decisions regarding your child’s identification, evaluation, or placement as a Section 504 disabled student.

Note: A copy of the Notice of Parent and Student Rights Under Section 504, the Rehabilitation Act of 1973, is enclosed for your information.

____________________________________________________________________________________

CONSENT FOR EVALUATION UNDER SECTION 504

☐ I have received Notice of Parent and Student Rights Under Section 504.

☐ I give consent for my child to be evaluated for a possible disability under Section 504.

☐ I do not give consent for my child to be evaluated under Section 504.

____________________________________________________________________________________

Parent/Guardian Signature Date

Please return this form to the Campus 504 Liaison.

Attachment: Notice of Parent and Student Rights Under Section 504, Rehabilitation Act of 1973
AVISO DE EVALUACION BAJO SECCIÓN 504

Fecha: ________________________________

Nombre: __________________________________ Fecha de nacimiento: ______________________

Escuela: __________________________________ No. de identificación: ______________________

El estudiante arriba mencionado ha sido referido al Comité de Asesoramiento Multidisciplinario del Distrito Escolar Independiente de Houston para ser evaluado bajo las disposiciones de la Sección 504.

Tal evaluación debe tomar lugar antes que un estudiante sea identificado como discapacitado bajo la Sección 504 (CFR 34 104.32).

La presente representa un aviso de tal evaluación. Les pedimos su autorización para evaluar a su hijo(a) y determinar si cumple con los criterios de elegibilidad especificados bajo la Sección 504.

La evaluación puede incluir cualquier de los siguientes: pruebas de inteligencia, pruebas académicas, observaciones del alumno en el salón de clase, datos/observaciones presentados por maestros, adaptación a nuevas circunstancias y escalas de calificación de comportamiento (CFR 34 104.35).

Los padres serán avisados por escrito sobre cualquier decisión en relación a la identificación, evaluación, o asignación de su hijo(a) en un programa especial de estudios.

La publicación Derechos de padres y estudiantes bajo Sección 504 está adjunta.

________________________________________ __________________________________

Coordinator 504 Teléfono

AUTORIZACIÓN

☐ He recibido una copia de Derechos de padres y estudiantes bajo la Sección 504.

☐ Autorizo la evaluación de mi hijo(a) bajo las provisiones de la Sección 504.

☐ No autorizo la evaluación de mi hijo(a).

________________________________________ __________________________________

firma de padres/tutores legales Fecha

Favor de devolver esta forma al Coordinador 504 de su escuela.

NOTICE OF SECTION 504 COMMITTEE MEETING

Date: ____________________________
(Date invitation is sent)

Dear: __________________________________________________________
(Parent/Guardian Name)

_______________________________________________________________
(Student’s Name)

A meeting has been scheduled to:

☑ Discuss the results of the evaluation and determine whether your child has special needs that may require supplementary aids or services

☑ Review current accommodations

☑ Reevaluate your child

You are invited to attend this meeting.

The meeting will be held at:

Date: ____________________________

Time: ____________________________

Location: ____________________________

If you have any questions, or the scheduled meeting time is not convenient for you, please call me at ________________________.

(Phone Number)

______________________________________     ________________________________________
(Campus 504 Coordinator) (School)

The Section 504 Coordinator for the Houston Independent School District is:

Frances Goodbeer
1615 Rutland
Houston, TX 77008
713-867-5220
AVISO DE REUNION DEL COMITE SECCIÓN 504

Fecha: ____________________________________
(Fecha de envío de la invitación)

Estimados: __________________________________________________________
(Nombre de los padres o tutores legales)

_______________________________________________________________
(Nombre del estudiante)

Se ha programado una junta para:

☐ Discutir los resultados de la evaluación y determinar si su niño(a) tiene necesidades especiales que requieren asistencia o servicios especiales.

☐ Revisar la situación actual

☐ Reevaluar al niño(a)

Ustedes están invitados a asistir a la junta.

La junta tendrá lugar:

Fecha: ___________________________
Hora: ___________________________
Lugar: ________________________

Si el horario programado no le resulta conveniente o si tiene preguntas, favor de llamarme al ________________.
(Teléfono)

______________________________________     ________________________________________
(Coordinador de la escuela) (Escuela)

El Coordinador del Distrito Escolar Independiente de Houston para la Sección 504 es:

Frances Goodbeer
1615 Rutland
Houston, TX 77008
713-867-5220
Name: ___________________________________________ DOB: ___________________________________________

Campus: _________________________________________ ID: _________________________________________

Summary of 504 Assessment

Documentation: FIE: _____________________________ Other: _______________________________

Date Date

Summary of Assessment Data—Including Adaptive Behavior

________________________________________________________________________________________________

________________________________________________________________________________________________

________________________________________________________________________________________________

________________________________________________________________________________________________

________________________________________________________________________________________________

________________________________________________________________________________________________

________________________________________________________________________________________________

________________________________________________________________________________________________

________________________________________________________________________________________________

________________________________________________________________________________________________

Does documentation indicate:

1. Physical or mental impairment? □ Yes □ No
2. That the impairment SUBSTANTIALLY limits one or more major life activities? (Compare the student's abilities to perform major life activities with the abilities of the average student of the same age or grade level.) □ Yes □ No
3. That there is a substantial impairment to learning or other major life activity that may require accommodation in the educational setting to give the child educational opportunities comparable to those of nondisabled students? □ Yes □ No

Has it been determined by a multidisciplinary team that a possible Section 504 disability is present? □ Yes □ No

Section 504 disability: ________________________________________________________________

Return to campus Section 504 Committee for determination of eligibility and educational accommodations.

Multidisciplinary Assessment Team Members Certification Date

_________________________________________ ________________ ____________

_________________________________________ ________________ ____________

_________________________________________ ________________ ____________

_________________________________________ ________________ ____________
SECTION 504 ACCOMMODATION PLAN

Name: _______________________________  ID: _____________________  Date of Meeting: ______________________

DOB: ________________________  Age: ______________  School: ___________________________________________

Home School: _________________________________________________  Grade: ________________________

Parent/Guardian/Surrogate Parent: _________________________________________  Home Phone: __________

Address: ________________________________________________________  Work Phone: ______________

City: _______________________________  ZIP Code: ____________  Chairperson: ____________________________

I. Does the student have a disability?  ☐ Yes  ☐ No
Nature of Disability: ____________________________________________________________________________
______________________________________________________________________________________________
______________________________________________________________________________________________

II. Has the disability caused a substantial limitation in learning or in any other major life activity that substantially affects
learning?  ☐ Yes  ☐ No  ____________________________________________________________________________
______________________________________________________________________________________________
______________________________________________________________________________________________
______________________________________________________________________________________________

III. DECISIONS:
On the basis of the identified disabilities, the 504 Committee recommends accommodations in the following areas:

☐ Adaptation of Materials ☐ In Instruction ☐ Other ________________________________

☐ Behavior Management ☐ Alteration of Assignments ________________________________

PERSON RESPONSIBLE FOR MONITORING ACCOMMODATIONS:

SCHOOL YEAR
_________ / _______
____________________________________________

PERSONS RESPONSIBLE FOR ACCOMMODATIONS:

____________________________________________  Teacher

____________________________________________

____________________________________________  Teacher

____________________________________________

____________________________________________  Teacher

____________________________________________

____________________________________________  Teacher
### POSSIBLE MODIFICATIONS/ACCOMMODATIONS

*(For Information Only)*

#### ADAPTATION OF MATERIALS: Provide
- Reading materials at _____ grade level
- Peer to read materials
- Peer to take notes
- Peer or small-group discussion of materials
- Tape recording of required readings
- Highlighted materials for emphasis
- Altered format of materials: ____________
- Study aids/manipulatives: ____________
- Outlines and study guides

#### MODIFICATION OF INSTRUCTIONS: Provide
- Shortened, simplified instructions
- Repeated instructions
- Opportunity to repeat instructions
- Opportunity to write instructions
- Written instructions
- Visual aids (pictures, flash cards, etc.): _____
- Auditory aids (cues, tapes, etc.): __________
- Instructional aids: _____________________
- Multisensory information: ______________
- Extra time for oral response
- "Over-learning"
- Shorter exams
- Oral exams
- Open-book exams
- Written review for exams
- Study carrel for independent work
- Frequent/immediate feedback
- Checks for understanding
- Minimized auditory distractions
- Encouragement to participate
- Extended “wait time”
- Computer-aided instruction

#### BEHAVIOR MANAGEMENT: Provide
- Clearly defined limits
- Frequent reminders of rules
- Frequent eye contact
- Private discussion regarding behavior
- Seating near the teacher
- Opportunity to help teacher
- Supervision during transition
- Ignoring of minor infractions
- Implementation of behavior contract
- Positive reinforcement
- Emphasis on student’s special talents
- Secret signal between teacher and student
- Frequent breaks

#### ALTERATION OF ASSIGNMENTS: Provide
- Simplified homework assignments
- Reduced assignments
- Taped assignments
- Prioritized assignments
- Extra time for assignments
- Opportunity to respond orally
- Individual contracts
- Emphasis on major points
- Exemption for reading before peers
- Assistance in class discussions
- Special projects in lieu of assignments
- Other: __________________________
## SECTION 504 ACCOMMODATIONS

Date: ________________________________

Name: ______________________________ DOB: ______________ ID: ____________

<table>
<thead>
<tr>
<th>CHARACTERISTICS OF DISABILITY</th>
<th>ACCOMMODATION</th>
<th>SETTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Briefly describe characteristics of disability.</td>
<td>List accommodations needed.</td>
<td>Describe setting in which the accommodations are to be carried out.</td>
</tr>
</tbody>
</table>
The student has the capacity to understand school rules as outlined in the Code of Student Conduct.

The student has the capacity to follow school rules as outlined in the Code of Student Conduct.

The student needs a behavior management plan as an accommodation offered under Section 504.

Please list below each behavior, reinforcement, consequence, and person responsible for reinforcement and consequences. Appropriate interventions might arise from assessment data, discipline history, social history, or parental reports.

<table>
<thead>
<tr>
<th>BEHAVIOR</th>
<th>DESCRIPTION OF MEANS FOR REWARDING DESIRABLE BEHAVIOR</th>
<th>DESCRIPTION OF CONSEQUENCES FOR UNDESIRABLE BEHAVIOR</th>
<th>PERSON RESPONSIBLE</th>
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</table>

Additional Comments

Please check the following behavior accommodations or modifications.

- Set clearly defined limits
- Reduce distracting stimuli
- Preferential seating
- Give frequent reminders of rules
- Reinforce appropriate behavior
- Give in-class time-out/cooling off
- Provide regular and frequent breaks
- Provide supervision during transition/class change
- Behavioral contract (specifying behavior expected and reinforcement)
- Provide consistent routine
- Removal from group or activity

Communication with parents

- Daily assignments
- Weekly assignments sheets
- Notes home
- Telephone call to parent
- Parent/teacher conferences
- Other
SECTION 504 ACCOMMODATIONS REPORT

Name: __________________________________________________ Date: __________________

Deliberations of the 504 Accommodation Committee

________________________________________________________________________________
________________________________________________________________________________
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504 Placement Committee Date

____________________________________________________ ________________________

____________________________________________________ ________________________

____________________________________________________ ________________________

____________________________________________________ ________________________

____________________________________________________ ________________________

____________________________________________________ ________________________

____________________________________________________ ________________________

____________________________________________________ ________________________
This letter is to inform you that your child is to be reevaluated under Section 504.

The 504 evaluation may include any or all of the following: intelligence tests, academic tests, classroom observations, teacher checklist/input, adaptive behavior, and behavior rating scales (34 CFR 104.35).

Following the evaluation, you will be informed in writing of all decisions regarding your child’s identification, evaluation, or placement as a Section 504 disabled student.

Note: A copy of the Notice of Parent and Student Rights Under Section 504, the Rehabilitation Act of 1973, is enclosed for your information.

CONSENT FOR EVALUATION UNDER SECTION 504

☐ I have received Notice of Parent and Student Rights Under Section 504.
☐ I give consent for my child to be evaluated for a possible disability under Section 504.
☐ I do not give consent for my child to be evaluated under Section 504.

Parent/Guardian Signature ______________________________ Date ______________________________

Please return this form to the Campus 504 Liaison.

Attachment: Notice of Parent and Student Rights Under Section 504, Rehabilitation Act of 1973
AVISO DE REEVALUACION BAJO SECCIÓN 504

Nombre: __________________________________ Fecha: __________________________

Escuela: __________________________________ Fecha de nacimiento: ______________

No. de Identificación: ______________

El propósito de esta carta es informarle que su hijo(a) será evaluado(a) bajo las directivas de la Sección 504.

La evaluación puede incluir cualquier de los siguientes: pruebas de inteligencia, pruebas académicas, observaciones del alumno en el salón de clase, datos/observaciones presentados por maestros, adaptación a nuevas circunstancias, escalas de calificación de comportamiento (CFR 34 104.35).

Los padres serán avisados por escrito sobre cualquier decisión en relación a la identificación, evaluación o asignación su hijo(a) a un programa especial de estudios.

La publicación Derechos de padres y estudiantes bajo la Sección 504 está adjunta.

__________________________________________ __________________________
Coordinador 504 Teléfono

AUTORIZACIÓN

☐ IHe recibido una copia de Derechos de padres y estudiantes bajo la Sección 504.

☐ Autorizo la evaluación de mi hijo(a) bajo las provisiones de la Sección 504.

☐ No autorizo la evaluación de mi hijo(a).

________________________________________ __________________________________
firma de padres/tutores legales Fecha

Favor de devolver esta forma al Coordinador 504 de su escuela.

Dear Parent:

The Campus Section 504 Committee met on _________________________ to discuss your child’s academic progress and to review the Section 504 Assessment Report. On the basis of this report, the Committee determined that:

- Your child has a disability under Section 504 of the Rehabilitation Act that requires an accommodation plan to ensure his/her full access to all school activities. A copy of the plan is enclosed for your review.

- Your child is not disabled and does not require an accommodation plan.

If you disagree with the determination, I would be happy to meet with you to discuss your concerns. You may also follow the grievance procedures and due process rights outlined in your copy of Notice of Parent and Student Rights Under Section 504, The Rehabilitation Act of 1973.

If you have any questions or would like to schedule a meeting, please contact me at:

________________________________________
Telephone Number

Sincerely,

________________________________________
Campus 504 Coordinator

The Section 504 Coordinator for the district is:

Frances Goodbeer
1615 Rutland
Houston, Texas 77008
713-867-5220

School
Estimados padres:

El Comité Sección 504 se reunió el _________________ para discutir el progreso académico de su hijo(a) y evaluar su Reporte de Asesoramiento Sección 504. El Comité ha determinado lo siguiente:

1. Su hijo/a tiene una invalidez que bajo la sección 504 de la ley “Rehabilitation Act” requiere un plan de estudios que le asegure acceso total a todas las actividades escolares. Una copia de tal plan está adjunta a este aviso.

2. Su hijo/a no tiene ninguna invalidez y por lo tanto no requiere ser asignado(a) en un programa especial.

Si no están de acuerdo con esta determinación, podemos reunirnos y discutir sus preocupaciones. Además, Uds. tienen el derecho de apelarse según los procedimientos indicados en su copia de Derechos de padres y estudiantes bajo Sección 504.

Si tienen cualquier pregunta o si quieren programar una junta, pueden llamarme al __________________________

Teléfono

Cordialmente,

__________________________________________ __________________________
Coordinador 504 Escuela

La Coordinadora 504 del Distrito Escolar de Houston es:

Frances Goodbeer
1615 Rutland
Houston, Texas 77008
713-867-5220
Student’s Name     I.D. Number     Campus

Behavior subject to disciplinary action: ___________________________________________________
________________________________________________________________________________
________________________________________________________________________________
________________________________________________________________________________

List each of the student’s 504-qualifying disabilities: ________________________________________
________________________________________________________________________________

The 504 Committee has reviewed relevant information, including evaluation and diagnostic results, observations of the child, the current accommodation plan and other relevant information supplied by the parents. Based on the review, the 504 Committee has made the following determinations:

a. In relationship to the behavior subject to discipline, the accommodation plan and the student’s placement were appropriate, and the 504 services, supplementary aids and services and behavior intervention strategies were provided consistent with the accommodation plan.

   YES     NO

b. The child’s disability(ies) listed above did not impair the ability to understand the impact and consequences of the behavior subject to discipline.

   YES     NO

c. The child’s disability(ies) listed above did not impair the ability of the child to control the behavior subject to discipline.

   YES     NO

NOTE: IF ANY OF THE THREE DETERMINATIONS ARE ANSWERED “NO” THE BEHAVIOR MUST BE CONSIDERED TO BE A MANIFESTATION OF THE STUDENT’S DISABILITY. IN THAT EVENT, THE STUDENT CANNOT BE EXPELLED OR PLACED IN THE DISTRICT’S AEP BEYOND 10 SCHOOLS DAYS.
SECTION 504: THE MOST OFTEN-ASKED QUESTIONS

1. How is a student referred for a Section 504 evaluation?

Answer: All referrals go through the campus referral committee. The referring teacher fills out the regular Campus Referral form and collects the data needed by the referral committee.

2. What do I do when a parent brings in evaluation data and requests 504 accommodations for his/her child because of a diagnosis of ADHD or dyslexia?

Answer: If the child has not been determined by the SCHOOL DISTRICT to be disabled under Section 504 (or IDEA), the teacher should fill out a referral, gather the data needed from the parent, and refer the student to the campus referral committee. The referral committee will determine whether an assessment is needed. A doctor’s statement that the child has ADHD or any other problem is not enough—REFER. The evaluation specialist will determine if additional testing data are needed.

3. Must a teacher make accommodations in the regular classroom?

Answer: YES. If the Campus 504 Placement Committee determines that accommodations are needed, the teacher MUST attempt the required accommodations.

4. Who are the members of the Campus 504 Committee?

Answer: All placement decisions must be made by a group of people knowledgeable about the student, the evaluation, and least-restrictive environment (LRE). A group is defined as at least two people.

5. Is a student who is disabled under 504 ONLY exempt from the TAAS?

Answer: NO. Only an ARD Committee can exempt a student from the TAAS. Section 504 students may receive allowable accommodations IF the accommodations are required in the classroom on a regular basis.

6. What do we do when an identified 504 student transfers into our school from another school district?

Answer: We honor the other district’s accommodation plan until we receive the student’s records from the other school district. When the records arrive, a campus placement committee convenes to determine appropriate accommodations for the student. If we do not receive records from the previous school district, we initiate the referral process and proceed from there.

7. Can a 504-only disabled student be served in Special Education?

Answer: In theory, yes. The school district is required to provide an appropriate education, which may include regular or Special Education and related aids and services that are designed to meet individual educational needs of students with disabilities as adequately as the needs of nondisabled persons are met. An OCR Memorandum (1993) states that “If a student has a disability under Section 504 but not under IDEA, the student is entitled to receive any Special Education services a placement team decides are necessary.”

HOWEVER, REMEMBER THAT LEAST-RESTRICTIVE ENVIRONMENT (LRE) IS AN OVERRIDING CONCERN. Section 504 is a nonfunded statute and is most often interpreted as requiring accommodations in the regular classroom. Before a placement committee places a 504-only student in a restrictive pull-out program (resource, generic, etc.), the committee should document why a less-restrictive placement is not appropriate for the student and contact the Special Education department to discuss the need for such placement. Dually funded Content Mastery Classes work well to provide help for both regular and Special Education students. Special Education funds cannot be used to provide service to 504-only students.
AREAS THAT NEED TO BE ADDRESSED WHEN CONSIDERING PLACEMENT IN PULL-OUT SPECIAL EDUCATION PROGRAMS

1. Has the student been referred for a Special Education evaluation? If not, a referral for Special Education evaluation should be considered.

2. 504-only students are not exempt from the TAAS, but they are entitled to accommodations if a properly constituted placement team determines that (1) accommodations are necessary for the student in taking the TAAS test, (2) the accommodations do not destroy the validity of the test, and (3) the accommodations have been provided as part of the student’s ongoing classroom procedures. Accommodations for the TAAS provided to such students shall be provided consistent with accommodations provided to students under the IDEA.

8. How often must a Section 504 student be reevaluated?

Answer: Section 504-only students should be reevaluated periodically. Our district recommends that they be reevaluated at least every three years. Section 504 students must also be reevaluated before a significant change in placement (graduation is considered a significant change in placement).

9. Do we have to administer tests as part of reevaluation?

Answer: No, not unless the 504 Committee request additional testing. A three-year reevaluation (or a reevaluation before a significant change in placement) should consist of the 504 Committee reviewing available data (Stanford 9, TAAS, etc.), accommodations, information from parent and teacher as well as grades. The fact that the committee is meeting to reevaluate the student should be noted on the minutes page. The 504 Committee, after reviewing the collected reevaluation data, would determine whether the student continues to qualify as a student with a disability under 504 and make needed accommodations.
To identify from SASI students who should be receiving 504 services, the following query is used:

```
LIST  STU  IG  NM  GR  SPE.SC  S5  R5  IF  S5  =  “Y”
```

<table>
<thead>
<tr>
<th>STU #</th>
<th>LAST NAME</th>
<th>FIRST NAME</th>
<th>MIDDLE NAME</th>
<th>PERMANENT #</th>
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**SEX**  **GRD STATUS**

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**SPECIAL ED ASSESSMENT INFORMATION**

<table>
<thead>
<tr>
<th>PRIMARY–HC</th>
<th>ADD’L HC1</th>
<th>ADD’L HC2</th>
<th>ADD’L HC3</th>
<th>INIT-COMP-ASMT</th>
<th>LATE-COMP ASMT</th>
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<tr>
<th>REF–VOC-ASMT</th>
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<th>COMPLETE-LVL-2-ASMT</th>
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<tr>
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<th>LATE-OCCUP-T-THRPY-ASMT</th>
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<th>LEARNING-MEDIA-ASMT</th>
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<th>LATE-PHYS-THRPY-EVAL</th>
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<th>504-SERVICES</th>
<th>504-REASON</th>
<th>EVAL-CDE</th>
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</table>

**FUNCTION CODE: C  MESSAGES: ENTER**

A= ADD  B= BACKUP  C= CHANGE  D= DROP

ASMCRT

<table>
<thead>
<tr>
<th>504 SERVICES REASON INDICATOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>1=ADD/ADHD</td>
</tr>
<tr>
<td>2=DYSLEXIA</td>
</tr>
<tr>
<td>3=OTHER</td>
</tr>
</tbody>
</table>

**STUDENT RECEIVING 504 SERVICES INDICATOR**

This field indicates a code to indicate
the student is receiving or is eligible
for 504 modifications
Y= receiving services
E= eligible, but not receiving